

IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

FLEMING COMPANIES, INC.	)	CASE NO. C-1-01-088
	)	
Plaintiff,	)	JUDGE BECKWITH
	)	
v.	)	Magistrate Judge Hogan
	)	
KENNETH L. BARBOUR, et al.	)	MOTION FOR ORDER OF
	)	APPEARANCE OF JUDGMENT
Defendants.	)	DEBTOR REVA J. BOONE FOR
	)	EXAMINATION AS TO PROPERTY
	)	SUBJECT TO EXECUTION

Fleming Companies, Inc., the Plaintiff in the above-entitled action and in whose favor a \$722,643.18 judgment was rendered against Reva J. Boone, one of the Defendants above, by its undersigned attorney, moves the Court for an order requiring judgment debtor Reva J. Boone to appear before this Court forthwith for examination regarding the later party's property subject to execution within the State of Ohio.

The ground for this Motion is the judgment debtor Reva J. Boone is subject to such examination herein under the circumstances set out in the attached supporting Affidavit pursuant to Rule 69(a) of the Federal Rules of Civil Procedure by virtue of R.C. 2333.09 governing practice and procedure and supplementary proceedings in aid of execution of money judgments.

This Motion is based upon the attached Affidavit and on all of the pleadings, records, and papers on file in this action.

Respectfully submitted,

/s/ Robert J. McBride  
Robert J. McBride (#0065422)  
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Attorney for Plaintiff  
Fleming Companies, Inc.

PROOF OF SERVICE

A copy of the foregoing Motion for Order of Appearance of Judgment Debtor Reva J. Boone for Examination as to Property Subject to Execution was served this 19<sup>th</sup> day of December, 2003, by regular U.S. mail upon the following:

Kenneth L. Barbour  
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Aberdeen, Ohio 45101

Regina Barbour  
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Reva J. Boone  
7174 U.S. Route 52  
Ripley, Ohio 45167

Clyde's of Ohio, Inc.  
U.S. Route 52 and Huntington Parkway  
Aberdeen, Ohio 45101

Clyde's of Kentucky, Inc.  
1200 Forest Avenue  
Maysville, KY 41056

/s/ Robert J. McBride  
Robert J. McBride